

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
LITTLE ROCK DIVISION**

ROBERT LEONARD SCUDDER, JR.
ADC #148999

PLAINTIFF

V.

NO: 4:15CV00031 JM/JWC

TIFFANY EICHLER *et al.*

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Jerry W. Cavaneau. No objections have been filed. In fact, the Magistrate's Proposed Findings and Recommended Disposition that was mailed to Plaintiff at the address he provided was returned to the Clerk's office marked "undeliverable." The Court notes that Local Rule 5.5(c)(2) instructs pro se parties that it is their responsibility to notify the Clerk and other parties of any change in their address, to monitor the progress of the case, and to prosecute or defend the action diligently. Plaintiff has failed to do so. After careful consideration, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED THAT:

1. Defendants' motion to dismiss (Docket No. 6) is GRANTED, and Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE.
2. This dismissal counts as a "strike" for purposes of 28 U.S.C. § 1915(g).
3. The Court certifies that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

DATED this 16th day of April, 2015.


UNITED STATES DISTRICT JUDGE